

RESOLUTION NO. A-_____

SPECIAL PERMIT NO. 1013J

1 WHEREAS, Dansid, L.L.C. has submitted an application designated as
2 Special Permit No. 1013J to modify the height and area regulations within the H-4 General
3 Commercial District for authority to allow a driveway to be located in the required front yard
4 of the T.O. Haas Tire Store on property generally located at S. 56th Street and Waltz Road
5 and legally described to wit:

6 Lot 28, Block 1, Country Place 4th Addition, located in the
7 Northwest Quarter of Section 16, Township 9 North, Range 7
8 East of the 6th P.M., City of Lincoln, Lancaster County,
9 Nebraska;

10 WHEREAS, the real property adjacent to the area included within the site
11 plan for this flag pole will not be adversely affected; and

12 WHEREAS, said site plan together with the terms and conditions hereinafter
13 set forth are consistent with the intent and purpose of Title 27 of the Lincoln Municipal
14 Code to promote the public health, safety, and general welfare.

15 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of
16 Lincoln, Nebraska:

17 That the application of Dansid, L.L.C., hereinafter referred to as "Permittee",
18 to modify the height and area regulations of the H-4 General Commercial District to allow
19 a driveway to be located in the required front yard of the T.O. Haas Tire Store on the
20 property legally described above, be and the same is hereby granted under the provisions
21 of Section 27.63.470 of the Lincoln Municipal Code upon condition that construction and

1 operation of said driveway be in strict compliance with said application, the site plan, and
2 the following additional express terms, conditions, and requirements:

3 1. This permit approves a driveway to extend 29'10" into the required
4 front yard along South 56th Street.

5 2. The driveway shall not be used for parking or stacking of vehicles.

6 3. Before receiving building permits:

7 a. The Permittee must submit a revised, acceptable, final plan
8 including five copies.

9 b. The construction plans must conform to the approved plans.

10 4. Before using the driveway all development and construction must be
11 completed in conformance with the approved plans.

12 5. All privately-owned improvements must be permanently maintained
13 by the Permittee or an appropriate alternative approved by the City Attorney.

14 6. The site plan approved by this permit shall be the basis for all
15 interpretations of setbacks, yards, locations of buildings, location of parking and circulation
16 elements, and other matters.

17 7. The terms, conditions, and requirements of this resolution shall be
18 binding and obligatory upon the Permittee, and Permittee's successors, and assigns. The
19 building official shall report violations to the City Council which may revoke the special
20 permit or take such other action as may be necessary to gain compliance.

21 8. The Permittee shall sign and return the City's letter of acceptance to
22 the City Clerk within 30 days following approval of the special permit, provided, however,
23 said 30-day period may be extended up to six months by administrative amendment. The

1 City Clerk shall file a copy of the resolution approving the special permit and the letter of
2 acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the
3 Permittee.

4 9. The site plan as approved with this resolution voids and supersedes
5 all previously approved site plans, however all resolutions approving previous permits
6 remain in force unless specifically amended by this resolution.

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ____ day of _____, 2003:

Mayor